

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY  
05 SEP 1 AM 10:08  
CLERK US DISTRICT COURT  
W.D. TENN. JACKSON  
S  
D.C.

KEVIN SMITH and his wife, )  
JEANNIE SMITH, )  
 )  
 Plaintiffs, )  
 )  
 v. ) NO. 03-1255-T-An —  
 )  
 WILLIAMS MARK FRANKS d/b/a )  
 FRANKS TRUCKING, )  
 )  
 Defendant, )  
 )  
 and )  
 )  
 KEVIN SMITH and his wife, )  
 JEANNIE SMITH, )  
 )  
 Plaintiffs, )  
 )  
 v. ) NO. 03-1322-T-An  
 )  
 HOME-MART, INC., )  
 )  
 Defendant. )

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**ORDER GRANTING DEFENDANTS' JOINT MOTION TO RECONSIDER  
APPROVING JEANNIE SMITH'S MOTION TO AMEND COMPLAINT**

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Before the Court is Defendants' Joint Motion to Reconsider Approving Jeannie Smith's Motion to Amend Complaint filed on August 24, 2005. For the reasons set forth below, the Motion is **GRANTED**.

The Court misread the Certificate of Consultation (D.E. #67) and believed that the Defendants did not oppose the Motion to Amend filed by the Plaintiff, Jeannie Smith. Since it is now apparent, however, that the Defendants do in fact oppose the Motion to Amend filed by

Jeannie Smith, their Motion to Reconsider is granted. The Defendants shall have fifteen (15) days from the entry of this order to file a Response to Jeannie Smith's Motion to Amend Complaint.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

Date: August 31, 2005



# Notice of Distribution

This notice confirms a copy of the document docketed as number 90 in case 1:03-CV-01255 was distributed by fax, mail, or direct printing on September 2, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT